

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Raj Abhyanker, et al.	Examiner:	Daniel L. Greene
Serial No.:	09/774,449	Group Art Unit:	3694
Filed:	January 30, 2001	Docket No.:	10005056-1
Title:	System and Method for Consolidating Financing in an Internet Exchange Portal		

REPLY APPEAL BRIEF UNDER 37 C.F.R. § 41.41

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Answer mailed February 26, 2008, Appellants file this Reply Brief in accordance with 37 C.F.R. § 41.41.

AUTHORIZATION TO DEBIT ACCOUNT

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's deposit account no. 08-2025.

In the Examiner Answer, the examiner responds with twelve pages of rebuttal arguments responding to Appellant's appeal brief (see Examiner Answer from pages 10-21). These lengthy arguments of the examiner inaccurately construe the claims and Appellant's arguments. Appellants use independent claim 1 as an example.

With regard to claim 1, one exemplary issue on appeal can be simply stated: Does Maxwell teach or suggest all of the elements of claim 1? Maxwell does not. To show that Maxwell does not teach or suggest all of the elements, Appellants will focus on the actual words being recited in the claim.

Claim 1 recites generating a generic financing application from a set of applications. In other words, a generic application is generated from a set of other applications. The original specification clearly supports the meaning of this claim element:

In step 304, the portal 202 requests a financing application form from each of the lenders 208 through 212 over lines 216, 218 and 220 respectively. Each financing application form includes a set of fields for the buyer 204 to populate which enable the lenders to decide whether or not to provide flooring.

The portal 202, in step 306, then generates a single generic financing application form which includes a consolidated set of fields for the buyer 204 to populate. The consolidated list of fields combines data fields common to each financing application, such as contact information, and appends any unique data fields which are specific to a particular lender's application form. Thus, while every lender financing application may ask for contact information from the buyer 204, the generic financing application form asks the buyer 204 for contact information only once. Field consolidation thus saves the buyer 204 a significant amount of time. (Bold Added: see original specification at p. 8, lines 1-13).

Again, the issue is simple: Does Maxwell teach or suggest generating a generic financial application from a set of applications? No. In Maxwell, the user enters data into a form, and the data is stored in a storage medium (see Maxwell at 9: 52-53). This data is then used to populate other forms that the user encounters over the internet (see Maxwell at 9: 54-56). Populating a form with stored data does not teach generating a generic application from a set of applications. **Maxwell never generates a generic application from other applications.** Instead, Maxwell uses stored data or templates to populate a form.

In the Examiner Answer, the examiner argues Maxwell at column 13, lines 48-58 (see Examiner Answer at p. 13). This section of Maxwell is directed to using templates populate forms with user data, not generating a generic application from a set of applications.

Appellants respectfully ask the Board of Appeals to read the entire paragraph of the cited section to understand the teaching in its context (i.e., read column 13, lines 29-58). This section of Maxwell discusses when “the form collection program attempts to complete a form that is not represented in the template file” (13: 29-30). After the user manually completes the form, “the form collection program may track the information the user elected to place in the forms various data receptacles” (13: 42-44). The data that the user entered into this form is then used to populate the fields of a new template file. So, next time the user is required to fill out this form, the newly created template has all of the user data. Maxwell further states that “a single template file may represent more than one form” (13: 48-49). In other words, the data in a single template can be used to fill out multiple forms.

In short, the sections in Maxwell cited by the examiner are directed to creating and using templates to complete forms for a user. These sections do not teach generating a generic application from a set of other applications. In other words, **Maxwell never suggests that the generic template discussed in column 13 is generated from a set of other templates.** Instead, the data in the generic template is used to populate data fields in multiple forms.

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The differences between the recited claim elements and in teachings in Maxwell are great. These differences show how the claims are not a predictable variation of the teachings in Maxwell.

In the appeal brief, Appellants presented other arguments as well. For brevity, Appellants will not repeat those arguments in this reply brief, but respectfully ask the Board of Appeals to consider each and every argument.

Respectfully submitted,

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